APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,667	03/23/2004	Daniel John Bricher	GCSD-1574 (51396)	1170

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EXAMINER
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ART UNIT	PAPER NUMBER
2435	

NOTIFICATION DATE	DELIVERY MODE
01/08/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

creganoa@addmg.com

	Application No.	Applicant(s)
Advisory Action **Before the Filing of an Appeal Brief**	10/806,667	BRICHER ET AL.
	Examiner	Art Unit
	JOSEPH PAN	2435

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

THE REPLY FILED <u>19 December 2008</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: *1-2,4-24, 26-28, 30-36*.

   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:

   See Continuation Sheet.

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.

13. ☐ Other: _____.

   /Kimyen Vu/
   Supervisory Patent Examiner, Art Unit 2435

Continuation of 11. does NOT place the application in condition for allowance because:

Applicant argues:

"Nowhere in Col. 3, lines 1-17, or anywhere else in Dhir et al., does it disclose at least one logic device for cooperating with the cryptographic processor to determine at least one of a type of communications module and an operating status of the communications module. " (see page 5, 1st paragraph, Applicant's Arguments/Remarks).

Examiner maintains:

Dhir discloses "Programmable logic devices exist as a well-known type of integrated circuit (IC) that may be programmed by a user to perform specified logic functions. There are different types of programmable logic devices, such as programmable logic arrays (PLAs) and complex programmable logic devices (CPLDs). One type of programmable logic devices, called a field programmable gate array (FPGA), is very popular because of a superior combination of capacity, flexibility and cost." (see column 1, lines 11-19, of Dhir)

Dhir further discloses "Wireless local area network transceiver 301 receives information from or provides information to antenna 336. The receive signal will be in an OFDM form, as mentioned above, however the MAC layer will be CSMA or TDMA. Accordingly, a CSMA/TDMA detector 318 may be coupled to wireless LAN transceiver 301 to provide an indicator signal to memory 312, indicative of whether a received signal is a CSMA or TDMA signal. " (see column 8, lines 23-30, of Dhir)

Therefore, the reference(s) discloses at least one logic device for cooperating with the cryptographic processor to determine at least one of a type of communications module and an operating status of the communications module.

Applicant argues:

"Applicants further submit that the Examiner's combination of Dhir et al., and Cheng is improper, " (see page 7, 1st paragraph, Applicant's Arguments/Remarks)

Examiner maintains:

Dhir et al. disclose "Referring to FIG. 7, there is shown an exemplary embodiment of FPGA 300 program in accordance with one or more aspects of the present invention. In this embodiment, a separate transceiver 301 integrated circuit, namely not embedded in FPGA 300, is coupled to FPGA 300, as is program memory 312. In this embodiment, a direct interface between separate transceiver 301 and FPGA 300 may be employed for direct interaction between transceiver 301 and FPGA 300." (see column 7, lines 48-56 of Dhir et al., emphasis added).

Therefore, Dhir et al. disclose that the communication module [i.e., transceiver 301] is separate from the cryptographic module [i.e., in FPGA 300].

Cheng teaches a add-on card for connecting to both wired and wireless networks, wherein Cheng discloses that "The network connection module can be detachable from the add-on card to allow for various network configurations." (see figure 4; and abstract, lines 9-11 of Cheng).

Thus, Combining Dhir et al. with Cheng so that the communications module and the cryptographic module would be removably coupled would not require splitting the communications and cryptographic modules from the single FPGA, and would make Dhir's system "to allow for various network configurations".